

AMENDED IN SENATE MAY 20, 2010

AMENDED IN SENATE APRIL 5, 2010

SENATE BILL

No. 1147

Introduced by Senator DeSaulnier

February 18, 2010

An act to amend Section 8522.5 of the Government Code, and to add Chapter 4.5 (commencing with Section 13839) to Title 6 of Part 4 of the Penal Code, relating to public safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 1147, as amended, DeSaulnier. ~~Coordinated Public Safety System Committee. Master Plan for California Public Safety.~~

Existing law provides for the safety of the public, as specified.

~~This bill would establish the Coordinated Public Safety System Committee. The bill would specify the makeup of the committee's members and how they are to be appointed, would specify how, when, and where the committee meetings would be held, and would require that the committee provide, by December 31, 2011, a Master Plan for California Public Safety to the Legislature and Governor which has the objective of making the public safer and which addresses specified issues relating to that objective. The bill would provide that the committee meet only upon appropriation by the Legislature for its expenses.~~

This bill would require the Legislature and the Governor to develop a Master Plan for California Public Safety that has the objective of making the public safer and that considers actions that may impact positively on public safety. The bill would require the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, by March 31, 2011, to identify and compile

relevant public safety reports and make recommendations to the Legislature and the Governor for purposes of developing the master plan.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 8522.5 of the Government Code is*
2 *amended to read:*

3 8522.5. (a) The commission shall review final reports and
4 make recommendations to the Legislature and the Governor
5 concerning the results of state audits and the revenues and
6 expenditures of the state, its departments, subdivisions, agencies,
7 and other public entities.

8 (b) (1) *For purposes of developing a Master Plan for California*
9 *Public Safety pursuant to Chapter 4.5 (commencing with Section*
10 *13839) of Title 6 of Part 4 of the Penal Code, the commission, by*
11 *March 31, 2011, shall identify and compile relevant public safety*
12 *reports and make recommendations to the Legislature and the*
13 *Governor.*

14 (2) (A) *The requirement for submitting a report imposed under*
15 *this subdivision is inoperative on March 31, 2015, pursuant to*
16 *Section 10231.5.*

17 (B) *A report to be submitted pursuant to this subdivision shall*
18 *be submitted in compliance with Section 9795.*

19 SEC. 2. *Chapter 4.5 (commencing with Section 13839) is added*
20 *to Title 6 of Part 4 of the Penal Code, to read:*

21
22 *CHAPTER 4.5. COORDINATED PUBLIC SAFETY SYSTEM*

23
24 13839. (a) *The Legislature and the Governor shall develop a*
25 *Master Plan for California Public Safety that shall have the*
26 *objective of making the public safer and that shall consider actions*
27 *that may impact positively on public safety, including, but not*
28 *limited to, the following:*

29 (1) *Improving coordination between all local, state, and federal*
30 *public safety agencies and the Department of Corrections and*
31 *Rehabilitation and other agencies that operate detention facilities.*

1 (2) *Establishing best practices to reduce crime rates in*
2 *California.*

3 (3) *Requiring that public safety agencies base their actions on*
4 *measurable evidence.*

5 (4) *Identifying and recommending methods to obtain potential*
6 *grants available to local, state, and federal public safety agencies,*
7 *and to the Department of Corrections and Rehabilitation and other*
8 *agencies in California that operate detention facilities, to be used*
9 *to enhance the public safety.*

10 (b) *It is the intent of the Legislature that the changes in policy*
11 *proposed in the Master Plan for California Public Safety shall be*
12 *codified by December 31, 2011.*

13 ~~SECTION 1. Chapter 4.5 (commencing with Section 13839)~~
14 ~~is added to Title 6 of Part 4 of the Penal Code, to read:~~

15
16 ~~CHAPTER 4.5. COORDINATED PUBLIC SAFETY SYSTEM~~

17
18 ~~13839. The Legislature makes the following findings and~~
19 ~~declarations:~~

20 ~~(a) Recent crimes committed by parolees raise serious questions~~
21 ~~about the parole system, monitoring of parolees, and resources~~
22 ~~available for this purpose.~~

23 ~~(b) Correctional facilities under the jurisdiction of the~~
24 ~~Department of Corrections and Rehabilitation are at a dangerous~~
25 ~~and unsafe level of overcrowding. Additionally, the health care~~
26 ~~provided to prisoners at those facilities is so inadequate that the~~
27 ~~correctional system is under receivership. There is little doubt that~~
28 ~~the entire correctional system is failing.~~

29 ~~(c) California's rank and file peace officers, parole agents, and~~
30 ~~prison guards are currently working without a collective bargaining~~
31 ~~agreement or will soon see their agreement expire. These~~
32 ~~agreements are paramount to the successful delivery of critical~~
33 ~~public safety services.~~

34 ~~(d) Recent legislation has been interpreted by some county~~
35 ~~sheriffs to require the release of certain prisoners. Other sheriffs~~
36 ~~view the law as having no such requirement. Ultimately, there has~~
37 ~~been no statewide criteria applied and the courts have had to~~
38 ~~interpret the law for the sheriffs.~~

39 ~~(e) California is a diverse state with public safety issues that are~~
40 ~~unique to geographic areas and to socioeconomic groups. However,~~

1 California law seems to disregard these factors and apply a
2 universal approach to public safety.

3 (f) California spends more than \$12 billion on public safety
4 annually. This is more than the state spends on any other public
5 service. Each public safety program is viewed, funded, and
6 evaluated in isolation instead of together with other public safety
7 programs.

8 (g) A coordinated, adequately funded and staffed, and
9 accountable public safety system is needed in California.

10 13839.2. (a) There is hereby established in the agency or
11 agencies designated by the Director of Finance pursuant to Section
12 13820 the Coordinated Public Safety System Committee.

13 (b) (1) The committee shall be composed of the Attorney
14 General, the State Public Defender, the Secretary of the Department
15 of Corrections and Rehabilitation, the Secretary of California
16 Emergency Management, the Commissioner of the California
17 Highway Patrol, the Director of the California Office of Traffic
18 Safety, the State Chief Information Officer, the Director of Alcohol
19 and Drug Programs, and the Director of the Emergency Medical
20 Services Authority.

21 (2) The committee shall be composed of the following additional
22 members, six of whom shall be appointed by the Governor, four
23 of whom shall be appointed by the Senate Committee on Rules,
24 and four of whom shall be appointed by the Assembly Committee
25 on Rules.

26 (A) A representative from an association representing victims
27 of crime in California.

28 (B) A representative from an association representing a majority
29 of California's county sheriffs.

30 (C) A representative from an association representing a majority
31 of California's police chiefs.

32 (D) A representative from an association representing a majority
33 of California's district attorneys.

34 (E) A representative from an association representing a majority
35 of California's city attorneys.

36 (F) A representative from an association representing a majority
37 of California's public defenders.

38 (G) A representative from an association representing a majority
39 of California's firefighters.

1 (H) ~~Two representatives from two associations (one from each~~
2 ~~association) representing California's rank and file peace officers.~~

3 (I) ~~A representative from an association representing California's~~
4 ~~rank and file emergency medical technicians.~~

5 (J) ~~A representative from an association representing a majority~~
6 ~~of California's probation officers.~~

7 (K) ~~A representative from an association representing a majority~~
8 ~~of California's correctional officers.~~

9 (L) ~~A representative from an association representing a majority~~
10 ~~of California's parole officers.~~

11 (M) ~~A representative with hands-on experience and advocacy~~
12 ~~work relative to California's "911" program and system.~~

13 (3) ~~The committee shall also include as members any federal~~
14 ~~public safety official who agrees to participate upon the invitation~~
15 ~~of the Governor, the Senate Committee on Rules, or the Speaker~~
16 ~~of the Assembly.~~

17 (e) (1) ~~The committee shall be led by two cochairs and a vice~~
18 ~~chair. The Governor and the Senate Committee on Rules shall each~~
19 ~~select a cochair. The Speaker of the Assembly shall select the vice~~
20 ~~chair.~~

21 (2) ~~Of the three members specified in paragraph (1), one shall~~
22 ~~represent the interests of state government, one shall represent the~~
23 ~~interests of local government, and one shall represent the interests~~
24 ~~of the public.~~

25 (d) ~~Committee member appointments shall be announced by a~~
26 ~~news release or similar public statement that shall be made jointly~~
27 ~~by the Governor, the Senate Committee on Rules, and the Speaker~~
28 ~~of the Assembly.~~

29 13839.4. (a) ~~By December 31, 2011, the committee shall~~
30 ~~provide to the Legislature and the Governor a report, entitled the~~
31 ~~Master Plan for California Public Safety, which shall have the~~
32 ~~objective of making the public safer and which shall address issues,~~
33 ~~including, but not limited to, the following:~~

34 (1) ~~Better coordination between all local, state, and federal~~
35 ~~public safety agencies and the Department of Corrections and~~
36 ~~Rehabilitation and other detainment agencies.~~

37 (2) ~~Establishment of best practices to reduce crime rates in~~
38 ~~California.~~

39 (3) ~~Requirement that public safety agencies base their actions~~
40 ~~on measurable evidence.~~

1 ~~(4) Identify and recommend methods to obtain potential grants~~
2 ~~available to local, state, and federal public safety agencies, and to~~
3 ~~the Department of Corrections and Rehabilitation and other~~
4 ~~detainment agencies in California to be used to enhance the public~~
5 ~~safety.~~

6 ~~(b) (1) A report to be submitted pursuant to subdivision (a)~~
7 ~~shall be submitted in compliance with Section 9795 of the~~
8 ~~Government Code.~~

9 ~~(2) Pursuant to Section 10231.5 of the Government Code, this~~
10 ~~section is repealed on December 31, 2015.~~

11 ~~13839.6. (a) The committee shall meet and hold hearings at~~
12 ~~least monthly in various areas around the state, including~~
13 ~~metropolitan, urban, rural, northern, southern, coastal, and inland.~~

14 ~~(b) The committee shall hold hearings in compliance with the~~
15 ~~Bagley-Keene Open Meeting Act (Article 9 (commencing with~~
16 ~~Section 11120) of Division 3 of Title 2 of the Government Code).~~

17 ~~(c) The committee shall only meet if the Legislature and~~
18 ~~Governor have identified and appropriated funds in the budget act~~
19 ~~for the purposes of funding the costs of the committee.~~

20 ~~13839.8. The Governor, Legislature, county boards of~~
21 ~~supervisors, mayors, and city councils are encouraged in the~~
22 ~~strongest terms to adopt and implement legislation, regulations,~~
23 ~~executive orders, and resolutions in order to effectuate as soon as~~
24 ~~possible the recommendations of the committee.~~